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*Attorneys for Plaintiff, Deutsche Bank National Trust Company, as Indenture Trustee for American Home Mortgage Investment Trust 2007-1*

8 **UNITED STATES DISTRICT COURT**  
9 **DISTRICT OF NEVADA**

11 DEUTSCHE BANK NATIONAL TRUST  
12 COMPANY, AS INDENTURE TRUSTEE  
13 FOR AMERICAN HOME MORTGAGE  
14 INVESTMENT TRUST 2007-1,

14 Plaintiff,

15 vs.

16 OLD REPUBLIC TITLE INSURANCE  
17 GROUP, INC.; OLD REPUBLIC NATIONAL  
18 TITLE INSURANCE COMPANY;  
19 FOUNDERS TITLE COMPANY OF  
20 NEVADA; DOE INDIVIDUALS I through X;  
21 and ROE CORPORATIONS XI through XX,  
inclusive,

20 Defendants.

Case No.: 3:20-cv-00535-MMD-CLB

**STIPULATION AND ORDER TO  
EXTEND DISCOVERY DEADLINES**

**(First Request)**

22 Plaintiff Deutsche Bank National Trust Company, as Indenture Trustee for American  
23 Home Mortgage Investment Trust 2007-1 (“Deutsche Bank”) and Defendant Old Republic  
24 National Title Insurance Company (“Defendant”) (collectively, the “Parties”), by and through  
25 their counsel of record, hereby submit their Stipulation to Extend Phase 1 Discovery Deadlines  
26 by ninety (90) days<sup>1</sup> in accordance with Local Rule 26-4 and Local Rule IA 6-1.

28 <sup>1</sup> Ninety days would be Sunday, March 21, 2021.

1 In accordance with Local Rule 26-4, this Stipulation has been brought in good faith, with  
2 good cause, is the first request for an extension of time to the discovery deadlines and is not  
3 intended to cause delay.

4 **(a) A statement specifying the discovery completed:**

5 On October 12, 2020, the Parties conducted the Fed. R. Civ. P. 26(f) conference.  
6 Thereafter, the Parties submitted their proposed Joint Discovery Plan and Scheduling Order on  
7 November 6, 2020 [ECF No. 19]. On December 2, 2020, the Court entered the Discovery Plan  
8 and Scheduling Order [ECF No. 26] with the following deadlines:

- 9  
10 • Phase 1 discovery of initial disclosures and written discovery, with each party  
11 limited to serving a total of 10 interrogatories, 10 requests for production, and 10  
12 requests for admission: November 18, 2020 for initial disclosures and December  
13 21, 2020 for written discovery.
- 14  
15 • Phase 2 of discovery which includes all standard forms of discovery allowed  
16 under the Rules of Civil Procedure: TBD.
- 17  
18 • Amend pleadings/add parties: TBD after the Parties are in Phase 2 of discovery;
- 19  
20 • Initial experts: TBD after the Parties are in Phase 2 of discovery;
- 21  
22 • Interim status report: TBD after the Parties are in Phase 2 of discovery;
- 23  
24 • Rebuttal experts: TBD after the Parties are in Phase 2 of discovery;
- 25  
26 • Discovery cutoff: TBD after the Parties are in Phase 2 of discovery;
- 27  
28 • Dispositive motions: TBD after the Parties are in Phase 2 of discovery; and
- Joint proposed pretrial order: TBD after the Parties are in Phase 2 of discovery,

The Parties have not yet completed Phase 1 discovery.

**(b) A specific description of the discovery that remains to be completed:**

The Parties need to conduct Phase 1 discovery and subsequently Phase 2 discovery thereafter.

**(c) The reasons why the deadline was not satisfied or the remaining discovery was not completed within the time limits set by the discovery plan:**

The Parties are requesting a ninety (90) day extension to the discovery deadlines for several reasons. First, due to an inadvertent error, the Parties have only recently realized that an incorrect exhibit was attached to Deutsche Bank's complaint, which was referenced in Defendant's Motion to Dismiss. In addition to the instant Stipulation, Deutsche Bank contemporaneously filed a Stipulation to Extend Deutsche Bank's Deadline to Respond to Defendant's Motion to Dismiss until December 23, 2020, so that the Parties can determine the best way to address the incorrect exhibit issue. Second, the Parties have discussed stipulating to a protective order prior to production documents as part of their initial disclosures and are still working on the terms of the protective order. Third, in light of the upcoming holidays, the Parties are requesting additional time to propound and respond to the written discovery that will be part of the first phase of discovery.

In accordance with Local Rule 26-4, good cause exists for this extension as the Parties only recently realized that Deutsche Bank attached the wrong exhibit to its complaint and that Defendant's motion to dismiss references that exhibit. Because the briefing on Defendant's and Specially-Appearing Defendant Old Republic Title Insurance Group, Inc.'s motions to dismiss and Deutsche Bank's motion for remand may affect the discovery in this case, the anticipated stipulated protective order, and the upcoming holidays, the Parties request a ninety (90) day extension of the Phase 1 discovery deadline, and an extension of the initial disclosures deadline to January 15, 2021.

**(d) A proposed schedule for completing all remaining discovery.**

The Parties request that current Discovery Plan and Scheduling Order [ECF No. 26], be amended as follows:

1. Last Day to Exchange Initial Disclosures: currently November 18, 2020, **desired January 15, 2021;**
2. Last Day to Complete Phase 1 Discovery: currently December 21, 2021, **desired March 22, 2021;**

**IT IS SO STIPULATED.**

<p>DATED this 15<sup>th</sup> day of December, 2020.</p> <p>WRIGHT, FINLAY &amp; ZAK, LLP</p> <p><u>/s/ Lindsay D. Robbins</u>  Lindsay D. Robbins, Esq.  Nevada Bar No. 13474  7785 W. Sahara Ave., Suite 200  Las Vegas, NV 89117  Attorneys for Plaintiff, Deutsche Bank National Trust Company, as Indenture Trustee for American Home Mortgage Investment Trust 2007-1</p>	<p>DATED this 15<sup>th</sup> day of December, 2020.</p> <p>EARLY SULLIVAN WRIGHT GIZER &amp; McRAE LLP</p> <p><u>/s/ Sophia S. Lau</u>  Scott E. Gizer, Esq.  Nevada Bar No. 12216  Sophia S. Lau, Esq.,  Nevada Bar No. 13365  8716 Spanish Ridge Avenue, Suite 105  Las Vegas, Nevada 89148  Attorneys for Defendant, Old Republic National Title Insurance Company</p>
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**IT IS SO ORDERED.**

Dated this 16th day of December, 2020.

  
UNITED STATES MAGISTRATE JUDGE